

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DSM DESOTECH INC.,)	
)	
Plaintiff,)	
)	Civil Case No. 08-CV-1531
v.)	
)	Hon. Sharon Johnson Coleman
3D SYSTEMS CORPORATION and)	
3D SYSTEMS, INC.,)	
)	
Defendants.)	

UNOPPOSED MOTION FOR ENTRY OF FINAL JUDGMENT

Pursuant to Fed. R. Civ. P. 54(a) and 58(d), Plaintiff DSM Desotech Inc. (“Desotech”) respectfully moves this Court to direct entry of final judgment as to Counts I-VII of the Third Amended Complaint, filed November 30, 2010 (the “Third Amended Complaint”). In support of its motion, Desotech states as follows:

1. Desotech filed its initial Complaint in this matter on March 14, 2008 (Dkt. 1). That Complaint was amended on May 25, 2008 (Dkt. 21), March 2, 2009 (Dkt. 93), and November 30, 2010 (Dkt. 231 (filed under seal)). The final of these amendments—the Third Amended Complaint—asserts nine counts against Defendants 3D Systems Corporation and 3D Systems, Inc. (collectively “3D Systems”): Count I (§1 Sherman Act (Tying)), Count II (§3 Clayton Act (Tying)), Count III (§1 Sherman Act (Unreasonable Restraint of Trade)), Count IV (§2 Sherman Act (Attempted Monopolization)), Count V (Illinois Antitrust Act), Count VI (Illinois Uniform Deceptive Trade Practices Act), Count VII (Tortious Interference With Prospective Economic Advantage), Count VIII (Tortious Interference With Contractual Relations), and Count IX (Patent Infringement).

2. 3D Systems filed a Counterclaim for Declaratory Judgment on June 6, 2008. *See* Dkt. 32. Said counterclaim was restated in each of 3D Systems' answers to Desotech's Complaints. *See* Dkts. 92 (Feb. 17, 2009), 98 (March 19, 2009), and 248 (December 30, 2010 (filed under seal)).

3. On September 28, 2012, the Court denied 3D Systems' Motion for Summary Judgment on 3D Systems' defenses to Count IX of the Third Amended Complaint. *See* Dkts. 416 and 417.

4. On November 7, 2012, the Court denied 3D Systems' Motion for Summary Judgment on Count IX of the Third Amended Complaint. *See* Dkts. 418 and 419.

5. On January 18, 2013, the Court granted in part and denied in part 3D Systems' Motion for Summary Judgment on Count VIII of the Third Amended Complaint. *See* Dkts. 424 and 425.

6. On January 31, 2013, the Court granted 3D Systems' Motion for Summary Judgment on Counts I-VII of the Third Amended Complaint. *See* Dkts. 426 and 427.

7. On February 28, 2013, the parties filed their Stipulation of Dismissal with Prejudice of Count VIII and Count IX of the Third Amended Complaint and the Counterclaim for Declaratory Judgment and Proposed Order. *See* Dkt. 432. The Court entered the parties' stipulated order later that day. *See* Dkts. 433 and 434.

8. All claims and counterclaims have been finally resolved and therefore it is appropriate for the Court to direct that final judgment be entered on a separate document in accordance with Fed. R. Civ. P. 58, as set forth in Exhibit A, hereto.

9. Desotech is seeking the entry of final judgment so that it may appeal the Court's January 31, 2013 Memorandum Opinion and Order (Dkts. 426 and 427).

10. On March 1, 2013, counsel for 3D Systems informed counsel for Desotech that 3D Systems does not oppose the entry of final judgment as to Counts I-VII of the Third Amended Complaint.

WHEREFORE, Plaintiff DSM Desotech Inc. respectfully requests this Court to grant the instant motion and direct the entry of final judgment on Counts I-VII as set forth in Exhibit A, hereto.

Dated: March 1, 2013

Respectfully submitted,

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Counsel for DSM Desotech Inc.

CERTIFICATE OF SERVICE

I, Britt M. Miller, an attorney, hereby certify that on March 1, 2013, I caused a true and correct copy of the foregoing redacted copy of **UNOPPOSED MOTION FOR ENTRY OF FINAL JUDGMENT** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Britt M. Miller
Britt M. Miller